

**LAW AND
CONTEMPORARY
PROBLEMS**

**VOLUME 23
1958**

SCHOOL OF LAW

DUKE UNIVERSITY

COPYRIGHT 1958, BY DUKE UNIVERSITY

PRINTED IN THE UNITED STATES OF AMERICA, BY
THE SEEMAN PRINTERY, INC., DURHAM, N. C.

AUTHOR INDEX

Volume 23

- | | |
|-----------------------------|---------------------------------|
| BRANCALE, RALPH, 442 | LATTIN, NORMAN D., 307 |
| CRESSEY, DONALD R., 754 | LATTY, ELVIN R., 363 |
| DUNHAM, H. WARREN, 508 | LLOYD, DENNIS, 165 |
| EMERSON, FRANK D., 231 | MANNHEIM, HERMANN, 577 |
| EVERETT, ROBINSON O., 1 | MILLER, DAVID, 3 |
| FORD, WILLIAM D., 264 | NEWMAN, DONALD J., 735 |
| FRAMPTON, GEORGE T., 325 | OHLIN, LLOYD E., 495 |
| GARRETT, RAY, 239 | OLSSON, HARRY R., JR., 34 |
| GIBSON, GEORGE D., 283 | O'NEAL, F. HODGE, 341 |
| GILBERT, ROBERT W., 102 | REMINGTON, FRANK J., 495 |
| GLASER, DANIEL, 683 | SCHNUR, ALFRED C., 772 |
| GLUECK, SHELDON, 461 | SELLIN, THORSTEN, 585 |
| GUTTMACHER, MANFRED S., 633 | SHIMM, MELVIN G., 175, 399, 583 |
| HAKHEEM, MICHAEL, 650 | SILVERBERG, HERBERT T., 125 |
| HART, HENRY M., JR., 401 | TAPPAN, PAUL W., 528 |
| HARTUNG, FRANK E., 703 | TOWER, CHARLES H., 62 |
| HAYNER, NORMAN S., 477 | TURNBLADH, WILL C., 544 |
| JENNINGS, RICHARD W., 193 | WAITE, JOHN BARKER, 594 |
| KATZ, WILBUR G., 177 | WARNER, HARRY P., 14 |
| | WATSON, ANDREW S., 611 |

ARTICLE INDEX

Volume 23

- ADVERTISING LAWYER IN RADIO AND TELEVISION, 3
- AIMS OF THE CRIMINAL LAW, 401
- AUTHORS' AND PERFORMERS' RIGHTS, 125
- CAPITAL AND SURPLUS UNDER THE NEW CORPORATION STATUTES, 239
- COMPARATIVE SENTENCING PRACTICE, 577
- CORRECTION IN HISTORICAL PERSPECTIVE, 585
- CRITIQUE OF THE LEGAL APPROACH TO CRIME AND CORRECTION, 611
- CRITIQUE OF THE SOCIOLOGICAL APPROACH TO CRIME AND CORRECTION, 703
- CRITIQUE OF THE MODEL PENAL CODE SENTENCING PROPOSALS, 544
- CRITIQUE OF THE PSYCHIATRIC APPROACH TO CRIME AND CORRECTION, 650
- DIAGNOSTIC TECHNIQUES IN AID OF SENTENCING, 442
- DREAMS FOR SALE, 34
- FOREWORD, I, 175, 399, 583
- HOW FIXED ARE CLASS SHAREHOLDER RIGHTS?, 283
- INDEMNIFICATION OF INSIDERS' LITIGATION EXPENSES, 325
- JUVENILE COURT: CONTRADICTORY ORIENTATIONS IN PROCESSING OFFENDERS, 508
- LABOR RELATIONS IN THE BROADCASTING INDUSTRY, 62
- LEGAL APPROACH TO CRIME AND CORRECTION, 594
- MINORITY AND DISSENTING SHAREHOLDERS' RIGHTS IN FUNDAMENTAL CHANGES, 307
- MULTISTATE PUBLICATION IN RADIO AND TELEVISION, 14
- NATURE AND EFFECTIVENESS OF CORRECTIONAL TECHNIQUES, 754
- PHILOSOPHY OF MIDCENTURY CORPORATION STATUTES, 177
- PREDICTIVE DEVICES AND THE INDIVIDUALIZATION OF JUSTICE, 461
- PSYCHIATRIC APPROACH TO CRIME AND CORRECTION, 633
- RECENT LEGISLATION AFFECTING CLOSE CORPORATIONS, 341
- "RESIDUAL RIGHTS" ESTABLISHED BY COLLECTIVE BARGAINING IN TELEVISION AND RADIO, 102
- ROLE OF THE STATES IN CORPORATE REGULATION AND INVESTOR PROTECTION, 193
- ROLES OF MANAGEMENT AND SHAREHOLDERS IN CORPORATE GOVERNMENT, 231
- SENTENCING BY AN ADMINISTRATIVE BOARD, 477
- SENTENCING STRUCTURE: ITS EFFECT UPON SYSTEMS FOR THE ADMINISTRATION OF CRIMINAL JUSTICE, 495
- SENTENCING UNDER THE MODEL PENAL CODE, 528
- SHARE CHARACTERISTICS UNDER THE NEW CORPORATION STATUTES, 264
- SOCIOLOGICAL APPROACH TO CRIME AND CORRECTION, 683
- SOME COMMENTS ON THE BRITISH TELEVISION ACT, 1954, 165
- SOME MISCELLANEOUS NOVELTIES IN THE NEW CORPORATION STATUTES, 363
- SOME REFLECTIONS ON THE ROLE OF CORRECTIONAL RESEARCH, 772
- WHITE-COLLAR CRIME, 735

LAW AND CONTEMPORARY PROBLEMS

A QUARTERLY PUBLISHED BY THE DUKE UNIVERSITY SCHOOL OF LAW

Subscription Price, \$5.00 per Year

Foreign Subscriptions, \$5.50

\$2.00 per Number

MELVIN G. SHIMM, *Editor*

ROBINSON O. EVERETT, *Associate Editor*

EDITORIAL ADVISORY BOARD

JOHN S. BRADWAY, R. TAYLOR COLE, ROBERT KRAMER, WESTON LABARRE, ELVIN R. LATTY,
JOSEPH J. SPENGLER, DALE F. STANSBURY, AND CLIVE M. SCHMITTHOFF (London).

Views expressed in articles published in this periodical are to be attributed to their authors and not to the periodical, its editors or Duke University.

CONTENTS

WINTER, 1958

RADIO AND TELEVISION: PART II

	PAGE
FOREWORD	<i>Robinson O. Everett</i> 1
THE ADVERTISING LAWYER IN RADIO AND TELEVISION	<i>David Miller</i> 3
MULTISTATE PUBLICATION IN RADIO AND TELEVISION	<i>Harry P. Warner</i> 14
DREAMS FOR SALE	<i>Harry R. Olsson, Jr.</i> 34
LABOR RELATIONS IN THE BROADCASTING INDUSTRY	<i>Charles H. Tower</i> 62
"RESIDUAL RIGHTS" ESTABLISHED BY COLLECTIVE BARGAINING IN TELEVISION AND RADIO	<i>Robert W. Gilbert</i> 102
AUTHORS' AND PERFORMERS' RIGHTS	<i>Herbert T. Silverberg</i> 125
SOME COMMENTS ON THE BRITISH TELEVISION ACT, 1954	<i>Dennis Lloyd</i> 165

SPRING, 1958
THE NEW LOOK IN CORPORATION LAW

	PAGE
FOREWORD.....	<i>Melvin G. Shimm</i> 175
THE PHILOSOPHY OF MIDCENTURY CORPORATION STATUTES.....	<i>Wilbur G. Katz</i> 177
THE ROLE OF THE STATES IN CORPORATE REGULATION AND INVESTOR PROTECTION.....	<i>Richard W. Jennings</i> 193
THE ROLES OF MANAGEMENT AND SHAREHOLDERS IN CORPORATE GOVERNMENT.....	<i>Frank D. Emerson</i> 231
CAPITAL AND SURPLUS UNDER THE NEW CORPORATION STATUTES.....	<i>Ray Garrett</i> 239
SHARE CHARACTERISTICS UNDER THE NEW CORPORATION STATUTES.....	<i>William D. Ford</i> 264
HOW FIXED ARE CLASS SHAREHOLDER RIGHTS?.....	<i>George D. Gibson</i> 283
MINORITY AND DISSENTING SHAREHOLDERS' RIGHTS IN FUNDAMENTAL CHANGES.....	<i>Norman D. Lattin</i> 307
INDEMNIFICATION OF INSIDERS' LITIGATION EXPENSES.....	<i>George T. Frampton</i> 325
RECENT LEGISLATION AFFECTING CLOSE CORPORATIONS.....	<i>F. Hodge O'Neal</i> 341
SOME MISCELLANEOUS NOVELTIES IN THE NEW CORPORATION STATUTES.....	<i>Elvin R. Latty</i> 363

SUMMER, 1958
SENTENCING

	PAGE
FOREWORD.....	<i>Melvin G. Shimm</i> 399
THE AIMS OF THE CRIMINAL LAW.....	<i>Henry M. Hart, Jr.</i> 401
DIAGNOSTIC TECHNIQUES IN AID OF SENTENCING.....	<i>Ralph Brancale</i> 442
PREDICTIVE DEVICES AND THE INDIVIDUALIZATION OF JUSTICE.....	<i>Sheldon Glueck</i> 461
SENTENCING BY AN ADMINISTRATIVE BOARD.....	<i>Norman S. Hayner</i> 477
SENTENCING STRUCTURE: ITS EFFECT UPON SYSTEMS FOR THE ADMINISTRATION OF CRIMINAL JUSTICE.....	<i>Lloyd E. Ohlin and Frank J. Remington</i> 495
THE JUVENILE COURT: CONTRADICTORY ORIENTATIONS IN PROCESSING OFFENDERS.....	<i>H. Warren Dunham</i> 508
SENTENCING UNDER THE MODEL PENAL CODE.....	<i>Paul W. Tappan</i> 528
A CRITIQUE OF THE MODEL PENAL CODE SENTENCING PROPOSALS.....	<i>Will C. Turnbladh</i> 544
COMPARATIVE SENTENCING PRACTICE.....	<i>Hermann Mannheim</i> 577

AUTUMN, 1958
CRIME AND CORRECTION

	PAGE
FOREWORD.....	<i>Melvin G. Shimm</i> 583
CORRECTION IN HISTORICAL PERSPECTIVE.....	<i>Thorsten Sellin</i> 585
THE LEGAL APPROACH TO CRIME AND CORRECTION.....	<i>John Barker Waite</i> 594
A CRITIQUE OF THE LEGAL APPROACH TO CRIME AND CORRECTION.....	<i>Andrew S. Watson</i> 611
THE PSYCHIATRIC APPROACH TO CRIME AND CORRECTION.....	<i>Manfred S. Guttmacher</i> 633
A CRITIQUE OF THE PSYCHIATRIC APPROACH TO CRIME AND CORRECTION.....	<i>Michael Hakeem</i> 650
THE SOCIOLOGICAL APPROACH TO CRIME AND CORRECTION.....	<i>Daniel Glaser</i> 683
A CRITIQUE OF THE SOCIOLOGICAL APPROACH TO CRIME AND CORRECTION.....	<i>Frank E. Hartung</i> 703
WHITE-COLLAR CRIME.....	<i>Donald J. Newman</i> 735
THE NATURE AND EFFECTIVENESS OF CORRECTIONAL TECHNIQUES..	<i>Donald R. Cressey</i> 754
SOME REFLECTIONS ON THE ROLE OF CORRECTIONAL RESEARCH.....	<i>Alfred C. Schnur</i> 772